



Reprinted  
March 2, 1999

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## SENATE BILL No. 279

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DIGEST OF SB 279 (Updated March 1, 1999 6:36 pm - DI 71)

**Citations Affected:** IC 9-25.

**Synopsis:** Failure to prove financial responsibility. Requires the operator of a motor vehicle to provide proof of financial responsibility upon the demand of a police officer. Provides that if the operator is unable to prove financial responsibility upon demand, the police officer must impound the motor vehicle and send the license plate to the court having jurisdiction. Requires a court to suspend the driving license, vehicle registration, and license plate of an individual who is: (1) convicted of a traffic offense that requires a court appearance; and (2) unable to show proof that financial responsibility was in effect at the time of the offense. Requires the suspension of the driving license, vehicle registration, and license plate of an individual who twice in a three year period commits certain offenses related to the failure to maintain financial responsibility.

**Effective:** July 1, 1999.

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**Jackman, Sipes, Wolf, Riegsecker,  
Merritt, Meeks R**

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January 7, 1999, read first time and referred to Committee on Insurance and Financial Institutions.  
February 22, 1999, amended, reported favorably — Do Pass.  
March 1, 1999, read second time, amended, ordered engrossed.

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SB 279—LS 6898/DI 71+



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March 2, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## SENATE BILL No. 279

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A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 9-25-5-0.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 1999]: **Sec. 0.5. (a) An individual operating a motor vehicle shall**  
4 **provide evidence of financial responsibility upon demand of a**  
5 **police officer authorized to enforce motor vehicle laws.**

6       **(b) A person who violates this section commits a Class C**  
7 **infraction.**

8       **(c) If an individual operating a motor vehicle fails to provide**  
9 **evidence of financial responsibility upon demand, the police officer**  
10 **shall impound the motor vehicle and remove its license plate. Said**  
11 **plate shall be sent to the court having jurisdiction of the Class C**  
12 **infraction charge.**

13       SECTION 2. IC 9-25-5-1 IS AMENDED TO READ AS  
14 FOLLOWS: Sec. 1. (a) If a person is convicted of a traffic offense that  
15 requires a court appearance, the court shall require the person to show  
16 proof that financial responsibility was in force on the date of the  
17 violation in one (1) of the forms described in IC 9-25-4-4 or in the form

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1 of a certificate of self-insurance issued under IC 9-25-4-11.

2 (b) If a person fails to provide proof of financial responsibility as  
3 required by this section, the court shall do the following:

4 (1) Suspend the person's current driving license, ~~or~~ vehicle  
5 registration **and license plate**, ~~or both~~.

6 (2) Order the person to immediately surrender the person's current  
7 driving license, ~~or~~ vehicle registration **and license plate** to the  
8 court.

9 (c) A suspension under this section is subject to the same provisions  
10 concerning procedure for suspension, duration of suspension, and  
11 reinstatement applicable to other suspensions under this chapter.

12 SECTION 3. IC 9-25-6-3.5 IS AMENDED TO READ AS  
13 FOLLOWS: Sec. 3.5. If a person violates:

14 (1) IC 9-25-4;

15 (2) IC 9-25-5; or

16 (3) section 2 or 3 of this chapter;

17 more than ~~one two (1)~~ **(2) time times** within a three (3) year period, the  
18 person's driving license, ~~or~~ vehicle registration **and license plate may**  
19 **shall** be suspended for not more than one (1) year.

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SENATE MOTION

Mr. President: I move that Senator Sipes be added as second author and Senators Wolf and Riegsecker be added as coauthors of Senate Bill 279.

JACKMAN

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SENATE MOTION

Mr. President: I move that Senator Meeks R be added as coauthor of Senate Bill 279.

JACKMAN

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SENATE MOTION

Mr. President: I move that Senator Merritt be added as coauthor of Senate Bill 279.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill No. 279, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-25-5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 0.5. (a) An individual operating a motor vehicle shall provide evidence of financial responsibility upon demand of a police officer authorized to enforce motor vehicle laws.**

**(b) A person who violates this section commits a Class C infraction."**

Page 1, line 5, before "This" insert "(a)".

Page 1, between lines 13 and 14, begin a new paragraph and insert:

**"(b) This section does not apply if the operator of a motor vehicle involved in an accident is involved in criminal conduct at the time of the accident."**

Page 1, line 14, delete "(a)".

Page 1, line 15, delete "physical".

Page 1, line 16, delete "impairment, disfigurement,".

Page 1, line 17, after "chapter" insert **"in an amount that exceeds one hundred fifty percent (150%) of the medical expenses and loss of wages suffered as a result of an accident"**.

Page 2, delete lines 1 through 4, begin a new paragraph and insert:

**"Sec. 3. An individual described in section 1 of this chapter is exempt from section 2 of this chapter if it is shown that the individual through no fault of the individual failed to have financial responsibility in effect at the time of the accident described in section 1 of this chapter."**

and when so amended that said bill do pass.

(Reference is to SB 279 as introduced.)

PAUL, Chairperson

Committee Vote: Yeas 7, Nays 3.

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## SENATE MOTION

Mr. President: I move that Senate Bill 279 be amended to read as follows:

Page 1, after line 7 and before line 8, insert:

**"(c) If an individual operating a motor vehicle fails to provide evidence of financial responsibility upon demand, the police officer shall impound the motor vehicle and remove its license plate. Said plate shall be sent to the court having jurisdiction of the Class C infraction charge."**

Page 1, delete lines 8 through 16, begin a new paragraph and insert:

**"SECTION 2. IC 9-25-5-1 IS AMENDED TO READ AS FOLLOWS: Sec. 1. (a) If a person is convicted of a traffic offense that requires a court appearance, the court shall require the person to show proof that financial responsibility was in force on the date of the violation in one (1) of the forms described in IC 9-25-4-4 or in the form of a certificate of self-insurance issued under IC 9-25-4-11.**

**(b) If a person fails to provide proof of financial responsibility as required by this section, the court shall do the following:**

- (1) Suspend the person's current driving license, ~~or~~ vehicle registration and license plate, ~~or both~~.**
- (2) Order the person to immediately surrender the person's current driving license, ~~or~~ vehicle registration and license plate to the court.**

**(c) A suspension under this section is subject to the same provisions concerning procedure for suspension, duration of suspension, and reinstatement applicable to other suspensions under this chapter.**

**SECTION 3. IC 9-25-6-3.5 IS AMENDED TO READ AS FOLLOWS: Sec. 3.5. If a person violates:**

- (1) IC 9-25-4;**
- (2) IC 9-25-5; or**
- (3) section 2 or 3 of this chapter;**

**more than ~~one two (1) (2) time times~~ within a three (3) year period, the person's driving license, ~~or~~ vehicle registration and license plate may shall be suspended for not more than one (1) year."**

Delete page 2.

(Reference is to S.B. 279 as printed February 25, 1999.)

ALEXA

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